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IN LAKE CHARLES, LA.

JUL 22 2013

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

TONY R. MOORE, CLERK  
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JASON TOMLINSON

CIVIL ACTION NO. 2:12-0493  
SECTION P

VS.

JUDGE PATRICIA MINALDI

JANET NAPOLITANO, ET AL


MAGISTRATE JUDGE KATHLEEN KAY

**JUDGMENT**

Considering the defendants' Notice to the court, in which the defendants state that the petitioner, Jason Tomlinson, was removed to Jamaica on May 30, 2013, and thus is no longer in their custody,

**IT IS ORDERED** that the petitioner's petition for writ of habeas corpus be **DIMISSED** as **MOOT**. *See Merlan v. Holder*, 667 F.3d 538, 539 (5th Cir. 2011) (per curiam) (finding that an alien who has already been deported is not "in custody" for habeas purposes).

Lake Charles, Louisiana, on this 22 day of July, 2013.

  
PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE